

completed in the space of less than a quarter of a century, by the mere progress of public opinion against slavery. In 1749, Lord Chancellor Hard

wickie had decreed that *traser* would lie for a West India negro slave in England. On the 22d of June, 1772, Lord Mansfield, with the unanimous concurrence of all the judges of the Court of King's Bench, upon the return of a writ of habeas corpus, pronounced a *non sumus* Sumersett free, and ordered him to be discharged. The Court were satisfied that this sentence of awful solemnity are as follows:

"The state of slavery is of such a nature that it is incapable of being introduced on any reason, moral or political, but only by positive law, which preserves its force, long after the reasons, occasion, and time itself from whence it was created, is erased from the face of the world; to introduce a rule of civil conduct, to support it but positive law. Whatever inconveniences, therefore, may follow from the decision, I cannot say this case is allowed or approved by the law of this land, and therefore the black must be discharged."

Observe, that between the decision of Lord Hardwicke, in 1749, and that of the Court of King's Bench, delivered by Lord Mansfield, in 1772, there had been no change in the statute law of Great Britain on the subject. The decision of Lord Hardwicke was reversed by the Court of King's Bench, upon the ground that the law of England, in this relation is so devoid that no custom, usage, or prescription or precedent could be held to sanction it. The law of nature and of God is the law of liberty; and that it should have been prostrated and trampled upon by the law of man, can never be allowed out upon the parchment written in blood. And the same righteous decision was given by the Court of Session in Scotland, in the case of Joseph Knight, a negro, against John Wedderburn, January 15, 1778.—*Hovell's State Trials*, vol. 20, p. 2.

That the institution of slavery was supremely odious to the signers of the Declaration of Independence, and upon the immediate repeal of the same is demonstrated, not only by the solemn adjuration in the instrument itself, but by the history of the Confederation throughout the revolutionary war. The abolition of slavery within the several States was left to their respective legislatures, under the plain and simple implication in the proclamation of the self-evident truth, immediately after the close of the war, independence and of liberty, on the 23d of April, 1783, the Congress of the Confederation issued an address to the States, prepared by a committee consisting of James Madison, Oliver Ellsworth, and Alexander Hamilton, and closing with these never-to-be-forgotten words:

"Let the remembered, finally, that it has ever been the principle of the American Revolution, to secure for which she contended *the rights of human nature*. By the blessing of the Author of these rights on the

means exerted for their defence, they have prevailed against all opposition, and form the basis of thirteen States. If the rights of the human race have occurred, nor can any instance be expected hereafter to occur, in which the unadulterated forms of republican government can pretend to so fair an opportunity of justifying themselves. The rights of the human race are the rights of the United States are responsible for the greatest trust ever confided to a political society. If justice, good faith, honor, gratitude, and all the other qualities which ennoble the character of a nation and form the basis of the rights of the human race, the cause of LIBERTY will acquire a dignity and lustre which it has never yet enjoyed, and an example will be set which cannot but be followed by all the nations of the earth.

If, on the other side, our government should be unfortunately blotted with the reverse of these cardinal and essential virtues, the great cause which we have engaged to vindicate will be discoloured and disgraced, and the rights of the human race will be turned against them, and their patrons and friends exposed to be insulted and silenced by the voracity of tyranny and usurpation.

Is not the pledge of redemption from slavery, given by the self-evident truths of the Declaration of Independence, solemnly repeated in every line of this address?

In pursuance and fulfilment of that sacred pledge the people of nine of the States of this Confederacy have, by their Constitutions, or by the acts of their legislatures, abolished slavery within themselves forever. These are the six New-England States, and the State of Maryland, and the State of Pennsylvania. In the self same year in which the Constitution of the United States was presented to the acceptance of the people, on the 13th of July, 1787, the Congress of the Confederation, acting in the name and behalf of the whole people of this Union, passed an act for the government of the North-Western Territory, abolishing slavery forever throughout the same; which Territory now constitutes four independent States and two Territories of the Union. Thus, nine States of the primitive Union (four States and two Territories already free for admission as States) have already, by the legislative action of the people of the whole Union, and of the separate States, been purged by the infection of that institution, "so odious that nothing can be suffered to support it but positive law."

The population of the free States and Territories, returned by the census of 1840, was nine millions seven hundred and eighty-eight thousand and six hundred and thirty. The population of the slaveholding States and Territories was seven millions three hundred and twelve thousand six hundred and forty-four. The proportion is of four to three; but

of the slaveholding States, two millions four hundred and eighty-seven thousand one hundred and thirty-seven slaves, leaving the free population of that division of the Union to amount only to four millions eight hundred and twenty-five thousand five hundred and thirty-one—less than one half the numbers of the free division. In tabular form it stands thus:

Whole population of the free States and Territories,	9,788,085
Whole population of slaveholding States, Territories, and the District of Columbia,	7,312,044
Whole free population of the free division,	4,788,922
Whole free population of the slaveholding division,	1,425,351

If any one is curious to know how the minorities of three to four, and of one to two, have contrived to engross at least four-fifths of all the offices of the Union, high and low, from the President of the United States down, he need seek no farther than to the chattel representation, under the name of *other persons*, in the House of Representatives and in the Senate.

In the articles of confederation, there was no representation of slaves, nor any provision for the recovery of them as fugitives from State to State. They were considered only as objects of taxation in the double capacity of *persons* and *property*. They possessed no power to raise revenue by taxation. They had the power to borrow money and to issue bills of credit. For the payment of debts and of all the expenses of the Union, in war or peace, including all the charges of the war of independence, the only means in the power of Congress was to tax the amount of contribution to be furnished by each of the separate States. In appointing that assessment, the standard of valuation was not the same. Slaves, both as persons and as property, were among the most suitable objects of taxation; but as whatever was levied upon them must necessarily be paid, if at all, by their owners, it was, in the interest of the States where they were numerous, to depreciate as much as possible their value; and the interest of the States where they were few, to consider them not only as persons liable to a poll-tax, like all other members of the community, but as property, for the protection of which their owners sought, in all equity, to impose a special burden. Hence arose, immediately

